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May 17, 2023

Hon. Tonianne J. Bongiovanni
Clarkson S. Fisher Federal Building
402 E. State Street, Room 2020
Trenton, NJ 08608

**Re: Bodyguard Productions, Inc., et al. v. RCN Telecom Services, LLC, et al.,
No. 3:21-cv-15310-GC-TJB – Status Update**

Dear Judge Bongiovanni,

By text order entered on April 26, 2023 (Dkt. 51), the Court ordered the parties to provide a status update regarding discovery progress by May 26, 2023, after which the Court would address the issues of bifurcation of discovery and the timing of any settlement conference. The parties write jointly to advise the Court that they are continuing to work through discovery-related issues and will provide a more detailed status report to the Court by June 28, 2023.

Defendants have been preparing a substantial production of documents and data relevant to their Digital Millennium Copyright Act (“DMCA”) safe harbor defense, along with certain other categories of documents requested by Plaintiffs. Defendants are also preparing written responses to recently served Interrogatories. Defendants are diligently working to gather and prepare their production, but require additional time to produce these materials due to the amount of data being collected and the technical nature of the production.

Defendants expect to make this document production and serve its written discovery responses within the next several weeks, and the parties agree that Plaintiffs should have an opportunity to review the production before the parties provide a further update to the Court. Accordingly, the parties intend to provide this update by June 28, 2023, unless the Court orders otherwise.

Sincerely,

Edward F. Behm

EFB